

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JOHN P. SGARLAT,

Petitioner,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil No. 11-4441 (JBS)
[Crim. No. 06-723 (JBS)]

ORDER

This matter came before the Court upon Petitioner Sgarlat's petition to vacate sentence under 28 U.S.C. § 2255 [Docket Item 1]; the Court having considered the submissions of Petitioner and counsel in opposition, for reasons stated in the Opinion of today's date, and for good cause shown,

IT IS, this 14th day of November, 2012, hereby

ORDERED that the petition to vacate sentence is **DENIED**, and it is further

ORDERED that no certificate of appealability shall issue under 28 U.S.C. § 2253(c)(2), the Petitioner having failed to make a substantial showing of the denial of a constitutional right.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
Chief U.S. District Judge